

Washington State Conservation Commission Regular Meeting

FINAL MINUTES

North Bonneville, Washington
September 9, 2009

The Washington State Conservation Commission (Commission/WSCC) met in regular session on September 9, 2009 in North Bonneville, Washington. Commissioner Bahrych called the meeting to order at 8:33 a.m.

ATTENDEES

Lynn Bahrych, Chair
Fred Colvin, Vice Chair
Jim Peters, Member
Lynn Brown, Member
Tracy Eriksen, Member
Todd Bolster, Member
Lee Faulconer, Member
John Winder, Member
Dean Longrie, Member

COMMISSION STAFF

Mark Clark, Executive Director
Ron Shultz, Policy Director
Tom Salzer, Technical Services Manager
Debbie Becker, Financial Services Manager
Stu Trefry, District Operations &
Outreach Services Manager
Megan Finkenbinder, Program Specialist
Larry Brewer, Southeast Regional Manager
Eric Kopp, Northeast Regional Manager
Butch Ogden, Southwest Regional Manager

PARTNERS REPRESENTED DURING THIS MEETING:

John Larson, Washington Association of Conservation Districts (WACD)
Roylene Rides-at-the-Door, Natural Resources Conservation Service (NRCS)

GUESTS:

Dean Hellie, Stevens Conservation District
Jack Willis, Adams Conservation District
Dale Pomeroy, Moses Lake Conservation District
Sherry Penney, Underwood Conservation District

Additions/Corrections to Agenda Items

Mark Clark added the following items:

- Franklin Conservation District PE Funds
 - Okanogan Fire
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Introductions and Partnership Reports

Commissioner Bahrych welcomed John Winder of WSU to the Commission.

- Commissioner Winder reported that having gone through the current budget situation has led to significant reductions in higher education. This has led to reorganization as well as the closing of some learning centers with Community Colleges.
- Todd Bolster reported the Director of Ecology has delegated the new ECY representative on the Commission. Josh Baldi who is the Policy Advisor to the Director at Ecology will replace Melodie Selby.
- Commissioner Brown reported he has had conversations with several districts and significant concerns exist around the current budget situation.

Approved at the December 3, 2009 Commission Meeting

- Commissioner Longrie stated that WACD has been very busy with issues, including budget allocation and accountability, elections and area meetings which begin in October. Budget allocation and accountability will be the focus for the next several weeks and will be a topic at the next Officers & Directors meeting.
- Roylene Rides-at-the-Door, NRCS, reported the focus is the Conservation Stewardship Program which is showing only 5 applications. She is continuing to ask staff to develop a backlog of projects. She announced the hiring of an Area Conservationist for the Eastern Region.

Consent Agenda

Commissioner Peters moved and Commissioner Longrie seconded the motion to approve the July 16, 2009 Regular Business Meeting minutes. Motion adopted.

Commissioner Brown moved and Commissioner Peters seconded the motion to approve travel for Commissioner Bahrych and Commissioner Colvin with Mark Clark to attend the NACD Annual Meeting. Motion adopted.

Decision on Districts in Good Standing

Commissioner Bahrych recognized the amount of work that the Regional Managers and Conservation Districts have put into the Districts in Good Standing exercise since July. She stated this has been a mutually advantageous exercise.

Commissioner Colvin moved to have Commission staff report back at the March meeting on the deadlines given on the individual Districts in Good Standing plans. Commissioner Faulconer seconded.

Commissioner Brown moved to amend the motion to include a report be given at each Commission meeting and if the plans are not followed, the Commission will consider other options, Commissioner Peters seconded.

The original motion as amended was adopted.

Tier 3 Districts

Commission Staff, Stu Trefry briefly reviewed each Tier 3 district plan and presented them to the Commissioners for consideration. Presentation of these plans and their approval, would allow the Commission to release funding held in abeyance.

Commissioner Colvin moved to approve the Benton Conservation District plan, Commissioner Eriksen seconded. Motion adopted.

Commissioner Colvin moved to approve the King Conservation District plan, Commissioner Longrie seconded. Motion adopted.

Commissioner Colvin moved to approve the Palouse Conservation District plan, Commissioner Eriksen seconded. Motion adopted.

Commissioner Colvin moved to approve the Pend Oreille Conservation District plan, Commissioner Eriksen seconded. Motion adopted.

Commissioner Colvin moved to approve the Pierce Conservation District plan, Commissioner Longrie seconded. Motion adopted.

Commissioner Colvin moved to approve the Snohomish Conservation District plan, Commissioner Longrie seconded. Motion adopted.

Commissioner Colvin moved to approve the Spokane County Conservation District plan, Commissioner Eriksen seconded. Motion adopted.

Commissioner Colvin moved to approve the Stevens County Conservation District plan, Commissioner Eriksen seconded. Motion adopted.

Commissioner Colvin moved to approve the Warden Conservation District plan, Commissioner Longrie seconded. Motion adopted.

Tier 4 Districts

Stu Trefry introduced the Tier 4 districts who will be presenting their plans to the Commissioners.

Commissioner Brown moved additional funds not be released to Columbia Conservation District or Whitman Conservation District until the Commission has the opportunity to consider their plans, Commissioner Peters seconded. Motion adopted.

Commissioner Brown moved the release of 10% of the allocation for Adams Conservation District based on the plan they presented, however the Chair or supervisor is to be present at the December Commission meeting to report on the progress of the plan, Commissioner Eriksen seconded. Motion adopted.

Commissioner Brown moved the release of 10% of the allocation of funds for Moses Lake Conservation District, Commissioner Winder seconded. Motion adopted.

Commissioner Brown moved to release 20% of the allocated funds for South Yakima Conservation District and any additional release is to be considered at the December Commission meeting based on the progress of the plan, Commissioner Eriksen seconded. Motion adopted.

Commissioner Colvin moved that the Commission release 20% of the allocated funds for Grays Harbor Conservation District and further release of funds are subject to review and progress on the action plan. Commissioner Peters seconded.

Commissioner Brown moved to amend Commissioner Colvin's motion and reduce the amount from 20% to 10%, Commissioner Longrie seconded.

The motion as amended was adopted.

Mark Clark would like a formal motion on the Cowlitz and Wahkiakum Conservation Districts and have them work up a plan on the issue of spending for FY10 of Cost Share

for salaries and benefits. They need to be notified that the amounts that Debbie Becker stated will be withheld at this point from their funding until they appear at the December meeting and discuss their plan.

Commissioner Brown moved that the Cowlitz and Wahkiakum Conservation Districts complete a plan on the issue of spending for FY10 of Cost Share for salaries and benefits and present these plans at the December Commission meeting, Commissioner Peters seconded. Motion adopted.

Dean Hellie requested a reconsideration of the allocation of funding to the district for engineering services. Mr. Hellie explained the previous biennium situation and provided a work plan with identified projects for the engineer.

Commissioner Eriksen moved \$50,000 be released to the NE Engineering Cluster and have a status report in December, Commissioner Longrie seconded. Motion adopted.

Stu Trefry thanked the Commission staff and members for the assistance provided to the Regional Managers and the Districts in Good Standing process.

Public Comment

Sherry Penney, Underwood Conservation District, thanked the Commission for holding a meeting in her district.

Legal/Technical Services

- **Elections and Appointments Update**

Commission Staff, Tom Salzer, provided a matrix providing a description of election committee actions.

- WACD Survey – Commissioner Longrie developed an elections survey and sent it to all districts.

Commissioner Brown moved that commission staff, with assistance from the election committee improve the procedures on elections and appointments by the December meeting.

Commissioner Brown withdrew his motion.

Commissioner Brown moved to have the elections committee and commission staff return with specific language on implementation of the recommendations previously voted on. Commissioner Eriksen seconded. Motion adopted.

Commissioner Brown moved that WACD be commended on their efforts and seeking input on this issue and encourages them to be a part of the rulemaking, Commissioner Eriksen seconded. Motion adopted.

- **Update on Mason Conservation District**

The amicus brief is in the final edits and should be filed soon. Oral argument is scheduled for October 12th. The brief states zero cents per acre is not an adequate or legal amount. The Conservation Commission is filing the amicus to support the validity of the assessment authority.

- **Assessments**

Commission Staff, Ron Shultz met with Whidbey Island Conservation District and their County Commissioners. Hearings are expected to be scheduled, but none scheduled at this time. No vote is currently scheduled for the Snohomish Conservation Districts assessment in Snohomish County.

- **FOIA – Open Public Records**

Currently we are having issues with the FOIA. There was a group who met with Roylene Rides-at-the-Door and Judy Olson in Spokane. They have discussed how to handle MOU's and FOIA with NRCS. Mark Clark is looking for the ok to prepare a letter once the okay is given. He would like the Executive Committee to work with the ED on preparing a letter.

Natural Resources Reorganization Update

Commission staff, Ron Shultz presented the options on Natural Resources Agency Reorganization, which will be presented to the Governor in November. The update exercise began as a back of the budget proviso directing the Governor to find efficiencies and improve effectiveness of Natural Resource agencies. Ron described the various proposals for reorganization of the natural resources agencies and outlined suggestions for comments by the Commission to the Governor. The Commission approved the recommended comments and directed staff to draft a letter for the Chair's signature.

Policy & Intergovernmental

- **2010 Legislative & Supplemental Budget**

Commission Staff, Ron Shultz reported that there may be legislation around an Agriculture impact statement which was recommended by the OFP Task Force. These suggestions are due by October 8th. Two possible supplemental budget items are; Elections Proof of Concept and Incentives Service Delivery.

- **Status of Incentives Service Delivery Program**

Commission Staff, Ron Shultz explained, to take existing structure of the Commission and conservation districts and determine areas where unique situations exist and target these areas by working with the conservation district and stakeholders in identifying strategies to deliver incentives to landowners. The Samish TMDL Implementation process would be an excellent choice for the first model.

- **Climate Change**

Ecology has convened a meeting on the implementation of an offsets program. This meeting was well attended by agricultural interests.

Policy & Intergovernmental continued

- **OFP Update**

Commission Staff, Josh Giuntoli has been working on a farmland transition program for attorneys. The OFP Task Force met last week in Okanogan, both the meeting and tour were very productive. All four Legislators and three County Commissioners attended. The OFP task force approved the Farmland Preservation Indicators and Commissioner Eriksen would like an opportunity to review these indicators at the December meeting.

Finance

- **FY09 Close-out Update**

Commission Staff, Debbie Becker reported Fiscal Year 09 has been fully closed out. She also reported in July, a webinar on grants, funding and contracts was held, and all but three conservation districts were in attendance.

- **Year end balances**

Commission Staff, Debbie Becker presented a spreadsheet showing all returned monies for FY09.

- **07-09 Performance Measures**

Commission Staff, Debbie Becker provided a condensed version of the Agency's Strategic Plan. There is a specific section which includes the Activities, Goals, and Outcomes. The Office of Financial Management uses this document as well as the official performance measures to evaluate the agency. OFM evaluated the Strategic Plan and then recommended the specific Performance Measures to be reported. These reportables are part of the conservation district reportables and are due each January and July.

- **Franklin Conservation District Engineering request**

Commission Staff, Debbie Becker reported Franklin Conservation District submitted a request to increase their Professional Engineering funds by \$37,400. They have submitted a list of projects.

Commissioner Brown moved to authorize the funding increase for Franklin Conservation District but not until after the September budget forecast, to determine any impacts to the Commission budget. Commissioner Eriksen seconded. Motion adopted.

- **Budget Survey and Allocation System**

Commission Executive Director, Mark Clark talked about the current budget situation and how we get to a better place. He asked the question of "Are we rewarding the right districts with the money and are they getting conservation on the ground with those monies?" There have been some dates reserved with Ray Ledgerwood and Jim Jesernig to continue to move the allocation and survey piece ahead. Mark would like to propose that WACD hold an all-district meeting in early October to move us ahead. Mark Clark would like a consensus from the group to draft a letter from Commissioner Bahrych which would request WACD to move ahead with a refined system. There was a consensus among the group to get the letter drafted and sent out to WACD. John Larson would prefer it be a motion.

Finance continued

Commissioner Eriksen moved to have the Commission send the letter to WACD, Commissioner Longrie seconded. Motion adopted.

- **Okanogan Fire**

Commission Executive Director, Mark Clark received a call from Craig Nelson of the Okanogan Conservation District regarding the fire in the district. To prevent further water quality damage, funding for emergency grass seeding would be helpful.

Commissioner Eriksen moved the Executive Committee track the Okanogan fire situation and funding needed, Commissioner Peters seconded. Motion adopted.

Regional Manager Report

Commission Staff, Butch Ogden mentioned the recent success by Regional Manager Eric Kopp, in completing negotiations with the State Auditor's Office and the contract with the Commission. The Regional Managers and Financial staff had a very successful meeting recently.

Commission Operations

- **2010 Commission meeting locations**

Commissioner Peters moved to approve the 2010 locations, Commissioner Colvin seconded. Motion adopted.

- **Area and Annual Meetings**

A list of the WACD Area Meetings and the information on the WACD Annual meeting was provided.

Chair's Comments

- **Commissioner Officers Nominating Committee**

Commissioner Faulconer, Commissioner Longrie and Roylene Rides-at-the-Door, NRCS, were asked, and agreed to be on the nominating committee.

Adjournment

Commissioner Bahrych adjourned the meeting at 3:25 p.m.